

CHAPTER NO. 848

SENATE BILL NO. 2349

By Henry, Cohen, Dixon

Substituted for: House Bill No. 2757

By Robinson

AN ACT To amend Tennessee Code Annotated, Title 55, Chapter 10, relative to motor vehicle habitual offenders.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-603(2)(A), is amended by adding the following new items to be designated as (xiii), (xiv) and (xv):

(xiii) A violation of § 39-16-603(b), relating to evading arrest in a motor vehicle;

(xiv) A violation of § 39-13-103, relating to reckless endangerment by use of a motor vehicle;

(xv) A violation of § 55-50-504, relating to driving on a cancelled, suspended or revoked license if the underlying offense resulting in such cancellation, suspension or revocation is an offense enumerated in item (i)—(xiv) of this subdivision.

SECTION 2. Tennessee Code Annotated, Section 55-10-615, is amended by adding the following language as a new, appropriately designated subsection:

() Notwithstanding subsections (a) or (b) of this section or any other provision of law to the contrary, if a person is declared to be a habitual motor vehicle offender and one (1) or more of the requisite convictions was for driving while unlicensed as prohibited by Tennessee Code Annotated, Title 55, Chapter 50, Part 3, or driving on a cancelled, suspended or revoked license as prohibited by § 55-50-504 where the underlying violation of § 55-50-504 was not an offense enumerated in § 55-10-603(2)(A), such person may petition the court where such habitual offender finding occurred or any court of record having criminal jurisdiction in the county in which such person then resides for immediate restoration of the privilege to operate a motor vehicle in this state. After reviewing such petition, if the court finds that one (1) or more of such requisite convictions was for driving while unlicensed as prohibited by Tennessee Code Annotated, Title 55, Chapter 50, Part 3, or for § 55-50-504 where the underlying offense was not one enumerated in § 55-10-603(2)(A), then the court shall restore to such person the privilege to operate a motor vehicle in this state upon such terms and conditions as the court may prescribe, subject to other provisions of law relating to the issuance of operators' or chauffeurs' licenses.

SECTION 3. Tennessee Code Annotated, Section 55-10-603(2)(A), is amended by deleting item (xiii) added by Chapter ____ of the Public Acts of 2000 which reads as follows:

() A violation of § 55-50-504, relative to driving on cancelled, suspended, or revoked license when the underlying offense of such cancellation, suspension or revocation is an offense listed in this subdivision.

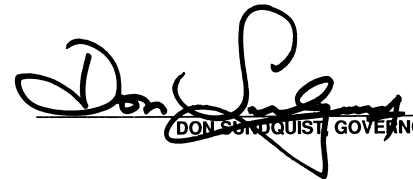
SECTION 4. This act shall take effect July 1, 2000, the public welfare requiring it.

PASSED: May 22, 2000


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 30th day of May 2000


DON SUNDQUIST, GOVERNOR